

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

Jointly Administered

**OBJECTION OF NEXXUS PARTICIPATION VEHICLE III LLC TO TRANSFER OF
CLAIM OTHER THAN FOR SECURITY**

Nexus Participation Vehicle III LLC (“Nexus”) objects (the “Objection”) to the *Transfer of Claim Other Than for Security* [D.I. 7789] (the “Claim Transfer”), filed on February 22, 2024 by FTXCREDITOR, LLC (“FTX Creditor”) based on knowledge and/or information and belief, as follows:

1. The Claim Transfer purports to unconditionally and irrevocably sell, transfer, and assign all right, title and interest in and to the claim identified as Schedule F Claim # 04196273 (the “Claim”) from Gabriel Antonio Melo Lemus (“Seller”) to FTX Creditor. The Claim Transfer annexes an *Evidence of Transfer of Claim* in which Seller “hereby waives any notice or hearing requirements imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, and stipulates that an order may be entered recognizing this Evidence of Transfer of Claim as an unconditional assignment and Buyer as the valid owner of the claim.”² See D.I. 7789 at 5.

2. However, Seller entered into an *Assignment of Claim* with Nexus with an assignment date of February 9, 2024, pursuant to which Seller agreed to sell the Claim to Nexus

¹ The last four digits of FTX Trading Ltd.’s tax identification number is 3288. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>

² Capitalized terms used but not defined herein shall have the respective meanings ascribed to them in the Claim Transfer.

(not to FTX Creditor). The Claim Sale Agreement was fully executed 12 days **prior** to FTX Creditor's purported execution of the *Evidence of Transfer of Claim*. A copy of the Claim Sale Agreement is annexed hereto as Exhibit A.

3. Nexxus (a) preserves all of its rights and remedies against Seller, FTX Creditor, and all other parties against whom Nexxus has claims and (b) intends to exercise such rights and remedies in all appropriate forums. While Nexxus understands that Federal Rule of Bankruptcy Procedure 3001 purportedly limits the right to object to a transfer of claim other than for security to the alleged transferor, in light of circumstances set forth herein, Seller and FTX Creditor should withdraw the Claim Transfer.

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Dated: March 13, 2024
Wilmington, Delaware

Respectfully submitted,

BIELLI & KLAUDER, LLC

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